

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

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| <p>DRY BULK SINGAPORE PTE, LTD.,</p> <p style="padding-left: 40px;">Plaintiff,</p> <p>v.</p> <p>M/V ETERNITY SW (IMO 9425851), and her engines, freights, apparel, appurtenances, tackles, etc.,</p> <p style="padding-left: 40px;">Vessel, <u>in rem</u>,</p> <p>DONG LIEN MARITIME S.A. PANAMA,</p> <p style="padding-left: 40px;">Claimant.</p> | <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> | <p>Case No. 2:19-cv-444</p> <p>IN ADMIRALTY</p> |
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ORDER

This matter is before the Court on Plaintiff’s motion for reconsideration, clarification, to reduce the amount of security, and for an expedited hearing. Doc. 18 (“Motion for Reconsideration”). On August 29, 2019, this Court held an emergency hearing to hear oral arguments on whether the Court should vacate the August 26, 2019, arrest of the M/V ETERNITY SW (the “Vessel”). Doc. 17. At that hearing, Plaintiff’s most persuasive argument in support of the arrest was that the Vessel’s disponent owner, Dong Lien Maritime S.A. Panama (the “Shipowner”), failed to negotiate in good faith with Plaintiff to resolve disputes pursuant to the charterparty. See id. However, the Court found that Plaintiff itself failed to show good faith by not making the hire payments it proposed to keep the Vessel in its employ. See id. Without Plaintiff making the proposed payments, the Court saw no reason to deny the motion to vacate the arrest based on the arguments and evidence presented. Accordingly, the Court ordered Plaintiff to

make the proposed hire payments by noon on August 30, 2019; otherwise, the arrest would be vacated. Id.

Plaintiff did not make the required payment, and, consistent with this Court's order, the Vessel was released on August 30, 2019. See docs. 21, 22.

Plaintiff filed its Motion for Reconsideration late at night on August 29, 2019. In support of its Motion for Reconsideration, Plaintiff raises several arguments that were not advanced at the August 29 hearing. The Court **FINDS** that it should not reconsider its order or grant an expedited hearing based on the arguments raised for the first time by the Motion for Reconsideration. Accordingly, the Motion for Reconsideration is **DENIED**.

The Clerk is **REQUESTED** to distribute a copy of this Order to counsel of record.

It is **SO ORDERED**.

/s/
Henry Coke Morgan, Jr.
Senior United States District Judge

HENRY COKE MORGAN, JR.
SENIOR UNITED STATES DISTRICT JUDGE

Norfolk, Virginia

September 4, 2019